

## NEWS FROM DELAWARE'S OFFICE OF ENVIRONMENTAL PROTECTION, 02/01/11

The bimonthly E-News Update features current information on the Divisions of Air Quality, Waste and Hazardous Substances & Water public meetings, workshops, hearings, and regulatory documents available for public comment, as well as news updates. For those of you who are receiving the E-News Update for the first time, the subscription is FREE! Please sign up at the following link under the Divisions of Air Quality & Waste and Hazardous Substances:

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Suggestions? Additions? Please call Tracy Sargent at (302) 739-9400 or send an email to [tracy.sargent@state.de.us](mailto:tracy.sargent@state.de.us). Published by DNREC Divisions of Air Quality, Waste and Hazardous Substances & Water; Web Site: [www.awm.delaware.gov](http://www.awm.delaware.gov)

### **NEWS UPDATES:**

**TIER II REPORTING TIME:** - It is Emergency Planning and Community Right-to-know Act (EPCRA) Annual Hazardous Chemical Inventory (also known as Tier II) reporting season again. Facilities required to report are advised all Tier II Reports covering the 2010 calendar year are due by March 1, 2011. The Tier II Manager system for on-line reporting can be accessed at <https://apps.dnrec.state.de.us/tier2/submit/> and more information is available from the EPCRA program web site at <http://www.serc.delaware.gov/services/312/sec312.shtml>. If you have any questions, please feel free to contact the EPCRA program at (302) 739-9405 or by e-mail at [DNREC\\_AWM\\_TierII\\_HELP@state.de.us](mailto:DNREC_AWM_TierII_HELP@state.de.us)

### **UPCOMING AIR, WASTE & WATER-RELATED HEARINGS, MEETINGS & EVENTS:**

**PROPOSED STATE IMPLEMENTATION PLAN (SIP) REVISION FOR MEETING THE REQUIREMENTS OF THE CLEAN AIR ACT (CAA)** – The Division of Air Quality (DAQ) will conduct a public hearing on a proposed State Implementation Plan (SIP) revision for meeting the requirements of the Clean Air Act (CAA). The purpose of the SIP revision is to supplement a SIP revision that was previously submitted to the U.S. Environmental Protection Agency (EPA) on September 17, 2009, State Implementation Plan for Meeting the Infrastructure Requirements of the Clean Air Act for Fine Particulate Matter. The hearing on this proposed SIP revision will be held February 1, 2011, beginning at 6:00 p.m. in the DNREC's Auditorium, R & R Building, 89 Kings Hwy, Dover 19901. For additional information, please contact Jack Sipple at (302) 739-9402 or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=955&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx>

**PUBLIC HEARING** – The Division of Air Quality (DAQ) will conduct a public hearing on proposed amendments to Section 2.0 of 7 DE Admin Code 1142, "Control of NOx Emissions from Industrial Boilers and Process Heaters at Petroleum Refineries." The public hearing on this proposed amendments to 7 DE Admin Code 1142, and the associated SIP revision, will be held February 1, 2011, beginning at 6:00 p.m., in DNREC's R&R Bldg. Auditorium, 89 Kings Highway, Dover 19901. For additional information, please contact Ron Amirikian at (302) 739-9402 or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=953&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx>

**PUBLIC HEARING** – The Division of Air Quality (DAQ), will conduct a public hearing on a proposed revision to Section 47.0 "Offset Lithographic Printing" of 7 DE Admin Code 1124 "Control of Volatile Organic Compound Emissions." The public hearing will be held on Tuesday, February 1, 2011, beginning at 6:00 p.m. in DNREC's

Auditorium in R & R Building, 89 Kings Highway, Dover, Delaware 19901. For additional information, please contact Ron Amirikian in Dover at (302) 739-9402, or Frank Gao in New Castle at (302) 323-4542 or visit:  
<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=954&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx>

**ON-SITE SYSTEMS ADVISORY BOARD** – The On-Site Systems Advisory Board will hold their monthly meeting on February 2, 2011 from 9:00am – 11:30am at the Richardson and Robbins Building, DWHS Conf Room B228, 89 Kings Highway, Dover – 19901. For additional information, please contact Katharyn Wright at (302) 739-9948 or visit:  
<http://www.delaware.gov/egov/calendar.nsf/Meetings/0D4CB73F0036EB6885257822006BCACB?open>

**PUBLIC HEARING REGARDING THE FORMER J&H AUTO SALVAGE SITE (DE-1469) RESCHEDULED** – The Site Investigation and Restoration Branch (SIRB) announces that the public hearing to be held on Tuesday, January 25, 2011, beginning at 10:00 a.m. has been rescheduled for Monday, February 7, 2011 beginning at 10:00 a.m. The public hearing will be held in the Air Quality Management offices of DNREC, in the Air Quality Management Conference room, Blue Hen Mall, 655 S. Bay Road, Suite 5-N, Blue Hen Mall. The purpose of the hearing is to request that a Secretary's Order be issued to require the performance of a remedy at the Former J&H Auto Salvage Site (Site). For additional information, please contact Robert C. Asreen, Jr. at (302) 395-2600 or visit:  
<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=983&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx>

**PESTICIDE GENERAL PERMIT REGULATION ADVISORY COMMITTEE PUBLIC MEETING** - The Pesticide General Permit Regulation Advisory Committee will hold a Public Meeting to discuss the regulatory development of pesticides applied to waterbodies of the state. The meeting will be held on February 9, 2011 from 10:00am – 11:30am at the Department of Agriculture, Conference Room #, 2320 South DuPont Highway, Dover – 19901. For additional information, please contact Steve Mann at (302) 739-9946 or visit:  
<http://www.delaware.gov/egov/calendar.nsf/Meetings/764F1C0F9694F4888525782200532258?open>

**DISTRIBUTION AND MARKETING PERMIT AMENDMENT – KENT COUNTY LEVY COURT** - Request for Amendment - State Permit Number DM 0902-K-03 issued to the Kent County (Delaware) Levy Court: The existing permit authorizes the application of lime stabilized, heat pasteurized biosolids generated at the Kent County Regional Wastewater Treatment Facility onto farmland either owned by the county, or onto private land as a soil conditioner and liming agent. To assure compliance with state and federal regulatory requirements, including requirements for "Class A" "Exceptional Quality" biosolids product, finished biosolids product is sampled for specific bacterial, chemical and nutrient parameters. Land application of biosolids, in accordance with State Permit Number DM 0902-K-03, may be made onto lands to meet Calcium Carbonate Equivalency (CCE) and pH requirements as indicated by an approved soil test. The County requests that the existing permit for the production of their biosolids product (Kentorganite) be amended to modify the method listed in the permit to achieve "Class A" requirements. A public hearing on the above application will NOT be held unless the Secretary of DNREC determines that a public hearing is in the public interest or if a written meritorious objection to the application is received by February 11, 2011. For additional information, please contact Brian Churchill at (302) 739-9946 or visit:  
<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=965&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx>

**CLEAN WATER ADVISORY COUNCIL MEETING** – The Clean Water Advisory Council will hold a meeting to discuss Wastewater and Stormwater Issues on February 16, 2011 from 9:00am-12:00pm at the Kent County Administrative Complex Room 220, 555 S. Bay Road Dover – 19901. For additional information, please contact Dawn Lawson at (302) 739-9941 or visit:  
<http://www.delaware.gov/eGov/Calendar.nsf/Meetings/D210306784553CE2852577FB00512538?open>

### **SECRETARY'S ORDERS:**

**SECRETARY'S ORDER NO. 2011-W-0002** - The Secretary of DNREC has issued Secretary's Order No. 2011-W-0002 granting approval of the Subaqueous Lands and Marina Permit Application filed by Lighthouse View Condominium Association to construct a minor 24-slip marina consisting of one 4 by 18.5 foot pier, eleven 4 by 20 foot finger piers and 26 freestanding pilings in Lighthouse Cove, Little Assawoman Bay, at Beacon Drive, Fenwick Island. The public hearing on the application was held on April 20, 2010. Any person whose interest is substantially affected by this Order may appeal to the Environmental Appeals Board by February 8, 2011. For additional information, please contact Gayle Calder at (302) 739-9943 or visit:  
<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=978&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx>

**SECRETARY'S ORDER NO. 2011-A-003** - Regarding approving Final Amendments to 7 DE Admin. Code 1124, Control of Volatile Organic Compound Emissions: Section 8.0, "Handling, Storage, and Disposal of Volatile Organic Compounds;" Section 13.0, "Automobile and Light-Duty Truck Coating Operations;" Section 16.0, "Paper Coating;" Section 23.0, "Coating of Flat Wood Paneling," Section 37.0, "Graphic Art Systems," and Section 45.0, "Industrial Cleaning Solvents." For additional information, please visit:  
<http://www.dnrec.delaware.gov/Info/Documents/Secretarys%20Order%20No.%202011-A-0003.pdf>

### **DOCUMENTS AVAILABLE FOR PUBLIC COMMENT OR APPEAL:**

**MOTIVA ENTERPRISES, LLC INDUSTRIAL WASTE LANDFILL CLOSURE APPLICATION** - Pursuant to 7 Del. C Section 6004, notice is hereby given by the Department of Natural Resources and Environmental Control that Motiva Enterprises, LLC has submitted a Closure Plan and Post-Closure Care Plan for the industrial waste landfill located at the Delaware City Refinery, in Delaware City. The Closure Plan specifies a final cover system which includes a membrane designed to act as a barrier layer over the waste and drainage/vegetative layers designed to control erosion and stormwater runoff of the completed landfill. The Post-Closure Care plan specifies periodic inspections and monitoring of the landfill after final closure. The landfill began operation in August 1992 and was used by the refinery for disposal of nonhazardous solid waste. The landfill has not received routine refinery waste since April 2004. A public hearing on the above permit modification will NOT be held unless the Secretary of DNREC receives a meritorious request for a hearing by February 3 2011. For additional information please contact Robert Hartman at (302) 739-9403 or visit:  
<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=980&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx>

**BROWNFIELDS DEVELOPMENT PROGRAM** – The Division's Brownfields Development Program encourages the cleanup and redevelopment of vacant, abandoned or underutilized properties which may be contaminated. A party seeking to develop such a property negotiates with the Division's Site Investigation and Restoration Branch (SIRB) for a Brownfields Development Agreement (BDA) or a Brownfields Voluntary Cleanup Program (VCP) Agreement to perform an investigation and, if necessary, a remedial action or remedy, for the purpose of addressing the risks

posed by past releases of hazardous substances at these sites. For site-specific information on the following sites, please see SIRB's superfund site files database at: <http://docs.dnrec.delaware.gov/sirbsitefiles.cfm>.

**NOTIFICATION OF PUBLIC COMMENT PERIOD FOR A BROWNFIELDS DEVELOPMENT AGREEMENT FOR THE M&N PROPERTY SITE (DE-1496) –**

The Site Investigation and Restoration Branch (SIRB) negotiated a Brownfields Development Agreement (BDA) with Riverfront Development Corporation for the M&N Property Site located at 516 South Market Street in Wilmington. Known by New Castle County as tax parcel number 26-050.00-064, the 1.24 acre Site may contain hazardous substances as a result of the historic use of fill materials and from past operations on surrounding properties, one of which is a certified Brownfields Site, Howard Street Commercial Site (DE-1401). The public comment period begins on January 12, 2011 and will close on February 1, 2011. For additional information, please contact John Cargill at (302) 395-2600 or visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=973&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx>

**NOTIFICATION OF NEGOTIATIONS FOR BROWNFIELDS VOLUNTARY CLEANUP PROGRAM AGREEMENT FOR THE PACK AND PROCESS SITE (DE-1421) –**

The Site Investigation and Restoration Branch (SIRB) is negotiating a Brownfields Voluntary Cleanup Program (VCP) Agreement with Plant 5, LLC regarding the Pack and Process Site (Site) located at 1113 East 7th Street in Wilmington. Known by New Castle County as tax parcel numbers 26-044.00-014 and 26-044.00-015, the 3.39 acres Site may have had a release of hazardous substances as a result of past industrial use. Previous investigations revealed the presence of metals such as lead and arsenic, PCBs and polyaromatic hydrocarbons (PAHs) in soils surrounding the Site. For additional information, please contact Morgan Price at (302) 395-2600 or visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=964&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx>

**NOTIFICATION OF NEGOTIATIONS FOR A BROWNFIELDS DEVELOPMENT AGREEMENT FOR THE R&S STRAUSS SITE (DE-1358) –**

The Site Investigation and Restoration Branch (SIRB) is negotiating a Brownfields Development Agreement (BDA) with BPG Land Partners III LLC regarding the Former R&S Strauss Site (Site) located at 300 South Market Street in Wilmington. Known by New Castle County as tax parcel number 26-050.00-00-13, the 0.52 acre Site may contain hazardous substances as a result of the historic use of fill materials and from past operations on surrounding properties. For additional information, please contact John Cargill at (302) 395-2600 or visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=972&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx>

**NOTIFICATION OF PUBLIC COMMENT PERIOD FOR A BROWNFIELDS DEVELOPMENT AGREEMENT FOR THE 1000 EAST 12TH STREET SITE (DE-1404) –**

The Site Investigation and Restoration Branch (SIRB) negotiated a Brownfields Development Agreement (BDA) with Habitat for Humanity of New Castle County regarding the 1000 East 12th Street Property (Site) (DE#1404). The Site is comprised of nine parcels totaling approximately 0.75 acres, located at 1000 East 12th Street in Wilmington, and known as New Castle County tax parcel numbers 26-036.40-036 through 26-036.40-039 and 26-036.40-050 through 26-036.40-054. The Site may have had a release of hazardous substances as a result of its past industrial uses including the current use of receiving, sorting and selling used automobile parts. The public comment period will close on February 14, 2011. For additional information, please contact Morgan Price at (302) 395-2600 or visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=979&>

[Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx](http://www.dnrec.delaware.gov/Lists/Public%20Notices%20Items%2Easpx)

**FINAL PLAN OF REMEDIAL ACTION FOR THE DMA EXPANSION OU-1 SITE (DE-1484)** - The Site Investigation and Restoration Branch (SIRB) has adopted a plan to clean up the DMA Expansion OU-1 Site at 0 Middleboro Road, Wilmington. The 3.44 acre Site is currently covered with soil, gravel and grass. The surface soil is contaminated with polycyclic aromatic hydrocarbons (PAHs) and metals. The groundwater is contaminated with metals. The public may appeal this final plan until February 18, 2011. For additional information, please contact Morgan Price or Robert Newsome at (302) 395-2600 or visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=985&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx>

**NOTIFICATION OF NEGOTIATIONS CONCERNING A VOLUNTARY CLEANUP PROGRAM AGREEMENT FOR BALTIMORE AIRCOIL CO. SITE (DE-1501)** – The Site Investigation and Restoration Branch (SIRB) is currently negotiating a Voluntary Cleanup Program (VCP) Agreement with Baltimore Aircoil Company, Inc. regarding the Baltimore Aircoil Co. Facility (Site). The approximately 50 acre Site is located at 1162 Holly Hill Road in Milford and is known by Kent County as tax parcel numbers 5-00-182.00-01-14.00. For additional information, please contact Stephen Johnson at (302) 395-2600 or visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=976&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx>

**AIR QUALITY PERMITTING PROGRAM** – Notice has been given that the facilities listed below have submitted applications for air quality management permits. The applications, the “draft/proposed” permits, all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy of summary of other materials, if any, considered in preparing the “draft/proposed” permit may be inspected at the offices of the Division of Air Quality, 655 S. Bay Road, Dover and 715 Grantham Lane, New Castle. To submit comments, for additional information or for an appointment to inspect the application, please contact Joanna Austin at the Dover Office at (302) 739-9402.

Title V Permit Renewal Applications - Notice is hereby given that Hirsh Industries, having a facility at 1525 McKee Road, Dover has submitted a request for a permit renewal pursuant to 7 DE Admin. Code 1130, Section 7 for operating Permit: AQM-001/00067. A public hearing concerning the permitting action will not be held unless the Secretary of DNREC receives a request for such hearing by February 28, 2011. For additional information, please visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=986&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx>

**7 DE ADMIN. CODE 1102 NATURAL MINOR PERMIT APPLICATIONS** – Notice is hereby given that the following companies have filed an application:

Dover Air Force Base requests a Construction Permit to construct a new Cold Solvent Cleaner to be located in Facility 778 at Route 113 and Route 10, Dover. The Cold Solvent Cleaner has the potential to emit (PTE) less than 1 ton per year of naptha (CAS 64742-88-7). By Permit# APC-2011/0056-CONSTRUCTION, actual emissions will not exceed that amount. A public hearing on any of the above applications will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that application within 15 days from the date of this notice, ending February 14, 2011. For additional information, please visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?I>



[D=990&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx](http://www.dnrec.de.gov/Lists/Public/2520Notices/2FAAllItems.aspx?D=990&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx)

Focal Point requests an operating permit to operate a paint spray booth at their facility located at 9707 Nanticoke Business Park, Unit #3 in Greenwood. The paint booth has the annual potential to emit (PTE) 0.144 tons of total particulate matter and 20.67 tons of volatile organic compounds. By Permit # APC-2011/0075 actual emissions will not exceed 0.001 tons of total particulate matter per year and 0.184 tons of volatile organic carbon per year.

Pinnacle Foods Group, LLC requests construction permits to modify existing Boiler A and Boiler B to combust natural gas at their 29984 Pinnacle Way, Millsboro. The combustion of No. 6 fuel oil in these boilers will be discontinued. Boiler A and Boiler B have the potential to emit (PTE) 2.0 TPY TOC, 15 TPY CO, 3 TPY PM, 56.8 TPY SOx, and 26 TPY NOx based on the firing of natural gas and No. 2 fuel oil. Emission reductions from the discontinuation of combusting No. 6 fuel oil will be 21 TPY NOx, 69.4 TPY SOx, and 6.45 TPY PM. By Permit# APC-2011/0068 and 0069-CONSTRUCTION actual emissions will not exceed 1.0 TPY TOC, 7.6 TPY CO, 1 TPY PM, 26.0 TPY SOx, and 12 TPY NOx. A public hearing on any of the above applications will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that application by February 14, 2011. For additional information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?D=989&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx>

#### **FEDERALLY ENFORCEABLE 7 DE ADMIN. CODE 1102 APPLICATIONS -**

Notice is hereby given that following companies have filed an application:

DuPont Chestnut Run Plaza of E. I. DuPont de Nemours & Co., Inc. having a facility at 4417 Lancaster Pike, Wilmington has requested a federally enforceable 7 DE Admin. Code 1102 construction permit for burner modification of Boiler C-3 to increase heat input rate to 96 mmbtu/hr and operate on natural gas as a primary fuel and No. 2 fuel oil as a secondary back-up. The permit will reduce emissions to 10.94 TPY of SOx, 17.1 TPY of NOx, 34.6 TPY of CO, 4.3 TPY of TSP, & 2.3 TPY of VOCs based on twelve month rolling period. A public hearing on the above application will NOT be held unless the Secretary of DNREC receives a request for a hearing by February 15, 2011. For additional information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?D=974&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx>

Croda Inc having a facility in New Castle has requested a federally enforceable 7 DE Admin. Code 1102 construction permit for the construction of three process tanks. The permit APC-2011/0062-Construction, will not increase any new emissions for VOCs and HAPs. Upon completion of construction, the Department will incorporate the operating conditions and limits of the 7 DE Admin. Code 1102 Construction permit into the facility's existing Title V permit AQM-003/00058 via an Administrative Amendment. A public hearing on the above application will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding by February 21, 2011. For additional information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?D=981&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx>

Allen Family Foods, Inc. having a facility in Harbeson has requested federally enforceable 7 DE Admin. Code 1102 construction permits for modifying the burners on Boilers 1 and 2 to fire on natural gas. The permits will increase TOC emissions by 1.3 TPY and CO emissions by 11 TPY and decrease NOx emissions by 2 TPY, SOx emissions by 23.8 TPY, and PM emissions by 2 TPY. Upon completion of construction, the Department will incorporate the operating conditions and limits of the 7 DE Admin. Code 1102 Construction permit into the facility's existing synthetic minor permit APC-81/0067-OPERATION (Amendment 4)(VOC RACT)(SM) via an Administrative Amendment. A public hearing on the above application will NOT be held unless the Secretary of DNREC receives a request for a hearing by February 28, 2011. For additional information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=987&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx>

**TITLE V PERMIT MODIFICATION APPLICATIONS** - Notice is hereby given that the following companies have filed an application:

Magellan Midstream Partners, L.P. Wilmington Terminal for a Minor Permit Modification to Permit: AQM-003/00291-RENEWAL (2) Revision (2) in accordance with the procedures of 7 DE Admin. Code 1130. The Minor Permit Modification is for Magellan to expand their list of approved storage material to include storage tank's T1 and T2 to store crude oil or less volatile product, and storage Tank T6 to store jet kerosene or less volatile products. A public hearing concerning the permitting action will not be held unless the Secretary of DNREC receives a request for such hearing by February 15, 2011. For additional information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=975&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx>

Delaware City Refining Company having a facility at 4550 Wrangle Hill Road, Delaware City, Delaware, has submitted a request for a significant permit modification pursuant to 7 DE Admin. Code 1130, Section 7 for its 7 DE Admin. Code 1130 operating permit. A public hearing concerning the permitting action will not be held unless the Secretary of DNREC receives a request for such hearing by March 1, 2011. For additional information, please visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=988&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx>

**WATER PERMITTING PROGRAM** - The Division of Water monitors, manages and protects Delaware's ground and surface waters, tidal wetlands and underwater lands. The Division is a link to the Delaware Estuary Program, Inland Bays Estuary Program and the Delaware River Basin Commission, and provides centralized computer and geographic information system services. The Division also provides public education and outreach programs.

**WELL PERMITS** – The following have submitted applications:

Abbott Farms partnership LP needs to construct one irrigation well. The well is proposed to be 74 feet deep and 12 inches in diameter. This well is located approximately 200' west of Fox Hunters Road and south of Brownsville road. The well is about 4 miles from Harrington. The desired capacity of this well is 500 gallons per minute.

Charles West Farms Inc. needs to construct one irrigation well. The well is proposed to be 114 feet deep and 10 inches in diameter. This well is to be located approximately 30' west of Church Hill Road and south of

Tub Mill Pond Road. The well is about a mile north of Milford. The desired capacity of this well is 400 gallons per minute. A public hearing on the above applications will NOT be held unless the Secretary of DNREC determines that a public hearing is in the public interest or if a written meritorious objection to the application is received by February 16, 2011. For additional information, please contact Patty Murray at (302) 739-9945 or visit <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=977&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx>

Ruth & Emil Gallo needs to construct two irrigation wells. The wells are proposed to be 51 feet deep and 8 inches in diameter. The wells are to be located approximately 20' and 520' north of Wheat Field Road and east of Todds Chapel road. The wells are about 4 miles North West of Greenwood. The combined desired capacity of these wells is 400 gpm.

Fred West needs to construct one irrigation well. The well is proposed to be 100 feet deep and 8 inches in diameter. This well is to be located approximately 2500' south of Gum Road and east of Pepper Road. The well is about 2 miles south east of Frankford. The desired capacity of this well is 600 gallons per minute.

Town of Middletown needs to install a replacement public well, that is 850' deep and 10-inch in diameter. The well is located at the Water plant on East Lake Street in the town limits of Middletown. The desired capacity of this well is 325 gpm.

State of Delaware need to operate a dewatering system for 150 points that are to be 20 feet deep and 1.5 casing diameter. The system will be used to install conduit under the new roadway. The site is located on Rt 113 in Frederica. The discharge water will be directed to an existing ditch. The dewatering system has a capacity is 450 gpm.

Kent County Levy Court needs to operate a dewatering system for 40 points that are to be 20 feet deep and 1.5 casing diameter. The system will be used to install a wet well and sewer. The site is located on Woods End road in the Willow Tree MHP. The discharge water will be directed to a sand ditch. The site is located on Kitts Hummock Road, Dover. This dewatering system has a capacity is 400 gpm.

A public hearing on the above applications will NOT be held unless the Secretary of DNREC determines that a public hearing is in the public interest or if a written meritorious objection to the application is received by February 7, 2011. For additional information, please contact Patty Murray at (302) 739- 9945 or visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=982&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx>

Robert Wright needs to construct two irrigation wells. The wells are proposed to be 42 feet deep and 8 inches in diameter. The wells are to be located approximately 920' and 500' south of the property line and 500' east of Andrews ville road. The wells are about 2.5 miles north west of Andrews ville. The combined desired capacity of these wells is 400 gpm.

MSB Farms LLC needs to construct one irrigation well. The well is proposed to be 100 feet deep and 12 inches in diameter. This well is to be located approximately 75' north of Springfield Road and west of CR 22. The well is about 4 miles south east of Harbeson. The desired capacity of this well is 1000 gallons per minute.



Town of Dewey Beach needs to operate a dewatering system for 35 points that are to be 12 feet deep and 1.5 casing diameter. The system will be used to install a pump station. The site is located on Bayard Ave between New Orleans and Bellvue Streets. The site is in the town limits. The discharge water will be directed to the pump station. The dewatering system has a capacity is 120 gpm.

Donald Johnson & Son Inc. needs to construct one irrigation well. The well is proposed to be 100 feet deep and 8 inches in diameter. This well is to be located approximately north of Rt 20 and east of Neals School Rd. The well is about 2 miles west of Seaford. The desired capacity of this well is 400 gallons per minute.

First Baptist Church needs to construct one irrigation well. The well is proposed to be 85 feet deep and 12 inches in diameter. This site is located approximately 800' south of Old Furnace Road and east of Concord Pond road. The well is about 4 miles east of Seaford. The desired capacity of this well is 1000 gpm.

A public hearing on the above applications will NOT be held unless the Secretary of DNREC determines that a public hearing is in the public interest or if a written meritorious objection to the application is received by February 14, 2011. For additional information, please contact Patty Murray at (302) 739- 9945 or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=992&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx>

## **FORMAL VARIANCE**

Michael Lewis representing Pine Tree Associates, (DBA Pine Tree Campsite) LLC has applied for a Formal Variance under Section 11.00 of The Regulations Governing the Construction and use of Wells to the construction of existing public well #44607. The property is located on the north side of CR 360 and east side of CR 357 Ocean View on tax map parcel 1-34-9-40.

Bob Applegate representing The Wind Rose Company, LLC has applied for a Formal Variance under Section 11.00 of The Regulations Governing the Construction and use of Wells to construct a public well to serve Buckley's Tavern. The property is located on the west side of RT 52 Kennett Pike, Centreville on tax map parcel 07-007-00-008.

A public hearing on the above applications will NOT be held unless the Secretary of DNREC determines that a public hearing is in the public interest or if a written meritorious objection to the application is received by February 7, 2011. For additional information, please contact Patty Murray at (302) 739- 9945 or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=982&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx>

## **SUBAQUEOUS LANDS PERMIT AND WETLAND APPLICATIONS – The following have submitted applications:**

New Castle County, Department of Special Services-To stabilize 460 linear feet of shoreline with a stone rip-rap revetment and live stakes in an unnamed tributary to Calf Run between Milltown Park and West Eric Drive in the Maplecrest Subdivision, Wilmington.

Delaware Racing Association to stabilize 180 linear feet of both banks of White Clay Creek by using mid-channel deposits to rebuild a section of bank and installing stunted log vanes, stone weirs, boulders, coir fiber

logs, jute mats, and wattles near, Hole #12 at White Clay Creek Country Club, Delaware Park, Wilmington.

Pine Shore Acres -To construct a 4 by 130 foot pier and 5 by 10 foot access steps in Indian River Bay at the terminus of Burbage Lane, Ocean View.

Preston Dyer-To construct a 6 by 25 foot dock and a boatlift with 2 pilings attached to the proposed Pine Shore Acres pier, in the Indian River Bay at the terminus of Burbage Lane, Ocean View.

Monte Fitch -To construct a 3 by 20 foot pier and a 4 by 7 foot dock in the Salt Pond at Unit #30 Schooner Village, Bethany Beach.  
A public hearing on the above applications will NOT be held unless the Secretary of DNREC determines that a hearing is in the public interest or if a written meritorious objection to the application is received by February 8, 2011. For additional information, please contact Gayle Calder at (302) 739-9943 or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=978&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx>

### **SUBAQUEOUS LANDS AND WATER QUALITY APPLICATIONS**

New Castle County Department of Special Service-State Road Sewer Interceptor Upgrade - To replace an 668 linear feet of 24 inch diameter sanitary sewer line with 636 linear feet of 30 inch diameter sanitary sewer line involving two stream crossings, with coffer dams for temporary flow diversion during construction, and to stabilize the crossing with 115 cubic yards of stone rip-rap, in Army Creek, near New Castle

A public hearing on the above applications will NOT be held unless the Secretary of DNREC determines that a hearing is in the public interest or if a written meritorious objection to the application is received by February 8, 2011. For additional information, please contact Gayle Calder at (302) 739-9943 or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=978&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAAllItems%2Easpx>

### **EMPLOYEE NEWS:**

Effective February 1, 2011, please welcome Melinda Carl as a seasonal employee for SHWMB.

### **CONTACT THE DIVISION:**

24-Hour Report and Spill Notification Line - 1-800-662-8802  
Aboveground Storage Tanks - 302-395-2500  
Air Quality - New Castle Office - 302-323-4542  
Asbestos New Castle - 302-323-4542  
Asbestos Kent & Sussex - 302-739-9402  
Biosolids Permits - 302-739-9946  
Boiler Safety - 302-744-2735  
Brownfields - 302-395-2600  
Delaware Estuary Program - 302-739-9949  
Division of Air Quality Director's office - 302-739-9402  
Division of Waste and Hazardous Substances Director's Office - 302-739-9400  
Division of Water Director's Office - 302-739-9950  
Dock/Dredging/Bulkheads/Rip-Rap/Wetlands & Subaqueous Lands - 739-9943  
Emergency Prevention and Response - 302-739-9404  
Environmental Crimes Unit - 302-739-9401 or 1-800-662-8802

Hazardous Waste - 302-739-9403  
Loans & Grants for Wastewater and Septics (Financial Assistance Branch) - 302-739-9941  
Medical Waste - 302-739-9403  
Non-Hazardous Liquid Waste Transporters - 302-739-9948  
On-site Wastewater Licensing Program - 302-739-9948  
Open Burning - 302-739-9402  
Outreach Ombudsman - 302-395-2515  
Recycling - 302-739-9403  
Septic System Permits - Large Systems (Community & I/A) State-wide - 302-739-9948  
Septic System Permits - Small Systems for Kent & New Castle Counties - 302- 739-9947  
Septic System Permits - Small Systems for Sussex County & Holding Tank Compliance Program - 302-856-4561  
Site Investigation & Restoration Branch (Superfund/Brownfields) - 302-395-2600  
Solid Waste - 302-739-9403  
Source Water Protection - 302-739-9945  
Stormwater Permits - 302-739-9946  
Surface Water Discharge Permits (NPDES) - 302-739-9946  
Underground Injection Control & Spray Irrigation - 302-739-9948  
Underground Storage Tanks - 302-395-2500  
Wastewater Collection, Conveyance and/or Treatment Facility Construction Permits – 302-739-9946  
Wastewater Treatment Facility Operators - 302-739-9946  
Water Allocation Permits - 302-739-9945  
Water Testing - Drinking Water (Division of Public Health) - 302-741-8630  
Well Driller's License - 302-739-9944  
Well Permits & Licensing - 302-739-9944